

### **REMARKS**

Claims 1-3, 5, 21, 23 and 34 are pending in the instant application.

Claims 1-3, 5, 21, 23 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,766,076 to Pease et al. (hereinafter "Pease") in view of U.S. Patent No. 6,682,421 to Rowe et al. (hereinafter "Rowe"), the non-patent publication "What are relational databases?", and the non-patent publication "TCP/IP for Dummies."

By this correspondence, claims 1, 21 and 34 are amended. The Applicant respectfully requests reconsideration of the claims based on the amendments and based on the remarks that follow.

### **Examiner Interview**

The Applicant would like to thank the Examiner for granting the Applicant an interview on March 11, 2011. During the interview, the Examiner and the Applicant discussed the Pease reference and Applicant's claim 1. The Examiner and the Applicant discussed whether claim 1 would be allowable if amended to add the following underlined language (with deleted language struck through):

"(1) the poller function is configured to poll each of the gaming machines to obtain meter data, jackpot data, output ticket data and player data generated by and stored in the gaming machines over the network, wherein the ~~obtained~~ meter data, jackpot data, output ticket data and player data stored in the gaming machines is not in a format useable by the accounting module software, the poller function being further arranged to format, without human intervention, the obtained data in a format useable by the accounting module software before storing the formatted data in a corresponding local meter table, local jackpot table, local ticket table, and local player table,"

The Examiner indicated that, in his view, the above amendments alone would not suffice to make claim 1 allowable. The Examiner and the Applicant also discussed the meaning of

certain parts of the language of claim 1, including "in a format useable by the accounting module software." The Examiner expressed concern that the language could be interpreted broadly.

**35 U.S.C. § 103 Rejections**

Claims 1-3, 5, 21, 23 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,766,076 to Pease et al. (hereinafter "Pease") in view of U.S. Patent No. 6,682,421 to Rowe et al. (hereinafter "Rowe"), the non-patent publication "What are relational databases?", and the non-patent publication "TCP/IP for Dummies."

First with respect to independent claim 1, the Applicant submits that the cited art, singly and in combination, does not disclose at least the recited limitations "the poller function is configured to poll each of the gaming machines to obtain meter data, jackpot data, output ticket data and player data generated by the gaming machines over the network" and "the poller function being further arranged to format, without human intervention, the obtained data into at least one of the one or more useable formats before storing the formatted data in a corresponding local meter table, local jackpot table, local ticket table, and local player table."

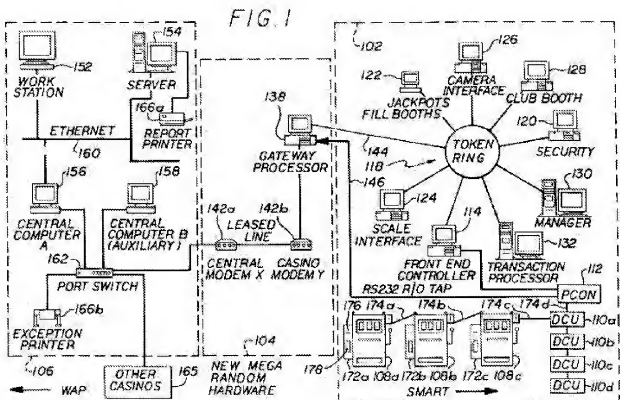
With respect to the claim 1 limitation "the poller function is configured to poll each of the gaming machines to obtain meter data, jackpot data, output ticket data and player data generated by the gaming machines over the network," the Applicant traverses the Examiner's rejection and respectfully submits that the art of record does not teach or suggest the limitation. In addressing the Applicant's previous arguments in the Office Action dated September 17, 2010 (hereinafter "Office Action"), the Examiner stated:

Applicant contends that Pease teaches polling only in relation to the use of polling for communications between the central computer system 106 and the gateway processor 138, and Pease does not show the claimed poller function "configured to poll each of the gaming machines." Applicant additionally argues that the player tracking teachings of Pease fails to show the claimed poller function and data mover function. The Examiner respectfully disagrees.

While it is clear that the polling may relate to communications between the central computer system 106 and the gateway processor 138, this is not to the exclusion of polling the gaming machines, such as slot machines 108a-108c. **As is evident from at least Figure 1 of Pease, gateway processor 138 receives data from the gaming machines over a token ring connection 144 (see also 5:44-47).** Token ring networks are polling networks by definition, as each device receives a "token" (hence the name) that allows it to be transmission during that poll cycle. Further information about the token ring protocol may be found in U.S. 2002/0073019 to Deaton. For at least this reason, the gateway processor meets the limitation of a poller function as claimed. **Moreover, Pease teaches that an active player may be identified at a gaming machine if there is a card inserted in the player tracker system at the time of the polling cycle, which is established by the central computer system (see at least 5:61-6:45).** Because the central computer system contacts the gaming devices and obtains this and other information *through* the gateway processor, it is clear that the gateway processor polls the gaming devices in response to a received poll from the central system.

Office Action at pages 11-12 (bold and underline added).

The Applicant respectfully submits that Pease, contrary to the above statements from the Office Action, fails to teach or suggest polling of gaming machines 108a-108c by the gateway processor 138. The first cited portion of Pease (5:44-47) discloses two types of connections that may be used between a casino and the gateway processor 138, stating that "[t]he processor 138 receives information from the casino system, e.g., over a token ring connection 144, and/or a communications or data tap, such as an RS 232 connection 146." Pease at 5:44-47. But as seen in Figure 1 of Pease (reproduced below), the gaming machines 108a-108c are **not** on the token ring network 118:



Pease at Figure 1. Thus, the token ring network 118 of Pease does not result in a system that includes a poller function "configured to poll each of the gaming machines ..." as recited in Applicant's claim 1.

The second cited portion of Pease (5:61-6:45) states in relevant part:

In this context, an active player may be defined in any of a number of ways. For example, a particular gaming machine may be considered to have an active player if (1) there is a card inserted in the player tracker system at the time of the polling cycle (described below), or within a certain period prior to the polling cycle, such as a predetermined number of seconds prior to the polling cycle, or any time since the previous polling cycle at that casino or, (2) if the gaming device or terminal is currently being played or has been played within a certain period prior to the polling cycle, regardless of whether there is a card in the card slot, (although, in one embodiment, a player is eligible only if the player can be identified, e.g. by a player identification system).

Pease at 6:24-37 (emphasis added). Pease clearly explains that the "polling cycle" referred to in the above paragraph relates to polling of the gateway processor 138 by the central computer system 106. See Pease at 6:48-52 ("As depicted in FIG. 2, in one embodiment the central computer system 106 periodically or frequently polls the processors 138 for each of the various connected casinos 102, 164, and collects the contribution from the various casinos.") While the system of Pease does determine whether a player card is inserted at the time of a polling cycle (or within a predetermined time of the polling cycle), that does not mean that the gaming machines themselves are polled during any of the polling cycles. For example, it would be entirely consistent with the teachings of Pease if the gaming machines independently (i.e., without being polled) send data to the gateway processor 138 whenever a player card is inserted. Such an arrangement would still allow the system of Pease to determine when a player card is inserted in relation to the central computer system's polling cycle of the gateway processor 138.

Accordingly, neither of the portions of Pease cited by the Examiner teaches or suggests a poller function "configured to poll each of the gaming machines to obtain meter data, jackpot data, output ticket data and player data generated by the gaming machines over the network." For this reason alone, the Applicant submits that claim 1 is patentable over the cited references, singly or in combination.

Moreover, the Applicant has amended claim 1 to recite: (1) that "the accounting module software requires that data be arranged in one or more useable formats in order to generate an audit report based on that data"; (2) that the poller function is arranged to format, without human intervention, the obtained data "into at least one of the one or more useable formats" before storing the formatted data in a corresponding local meter table, local jackpot table, local ticket table, and local player table; and (3) that "the data generated by the gaming machines is not

arranged in any of the one or more useable formats until the poller function formats the obtained data." The Applicant respectfully submits that the cited references, singly and in combination, do not teach or suggest these limitations.

First, the Applicant notes that the Applicant's originally-filed specification supports the recitation of "useable formats" in the claims. For example, the Abstract of the Applicant's specification states that "Unit 40 . . . arranges the data in a format useable by report generating software." Similarly, paragraph [0004] states that "[t]he software requires that the data in the tables of the central database be arranged in a format useable by the software," and paragraph [0063] states that "[t]he software requires that the data in the tables of the central database 24 be in the audit format useable by the software." That the accounting module software "requires that data be arranged in one or more useable formats in order to generate an audit report based on that data" is supported at least by paragraph [0063], which refers to an "audit format" as being "required by the report generating software." That "the data generated by the gaming machines is not arranged in any of the one or more useable formats until the poller function formats the obtained data" is also clear from the Applicant's specification, for example at paragraph [0046] ("The transaction data stored in games 100-106 is formatted in a format unacceptable to the gaming audit report generating software . . .").

Pease and the other references cited in the Office Action fail to teach or disclose the limitations added to claim 1 by the present amendments. First, the Applicant notes that the Examiner appears to take a very broad view of what it means for data to be in a format "useable" by the claimed accounting software module. The broad interpretation is reflected in the fact that the Examiner points to 7:53-59 and 9:18-34 of Pease as disclosing the pre-amendment limitation "the poller function being further arranged to format, without human intervention, the obtained

data in a format useable by the accounting module software." *See* Office Action at page 5. Those portions of Pease cited by the Examiner refer to certain data being "logged in an auditable manner" or providing "a complete auditable trail of potential winners." *See* Pease at 7:56-59, 9:18-22. Pease does not, however, teach or suggest that "auditable" means that information is arranged in a format required by any accounting software. To the contrary, Pease appears to use the word "auditable" in a very general way, meaning that sufficient information is stored so as to allow an audit of that information—even if, for example, a large degree of human intervention is required in order to generate an audit report from that data.

Based on the Examiner's reliance on this disclosure from Pease, and based on the Examiner Interview referenced above, the Examiner appears to take the position that data is in a format "useable" by the accounting module software simply because that data can eventually be converted into a format that accounting module software will accept, regardless of whether any manual steps are required to perform the format conversion. The Applicant respectfully submits that such an interpretation of "useable" is not reasonable given the language of claim 1. In particular, claim 1 (as amended) recites that "the data generated by the gaming machines is not arranged in any of the one or more useable formats until the poller function formats the obtained data." In other words, the gaming machine-generated data is not in a "useable" format initially, even though it is eventually used by the accounting module software (after its format is converted by the poller function). Thus, it would make no sense to interpret "useable" as simply meaning that the data can eventually be used by the software. Accordingly, claim 1 (like the specification itself) makes it clear that the gaming machine-generated data is not in a "useable" format until it is in a format that can be used by the accounting module software without any further re-formatting.

In the Office Action, the Examiner also states:

*TCP* states, "When you send a message to another computer on the network, your information starts at the top layer of your computer, travels down all the layers to the bottom of the stack, and jumps across to the other computer," and "when your information gets to the other computer, it starts at the bottom layer and moves up the stack to the application in the top layer" (*TCP* 51). Therefore, in sending data over any network in Pease, data is necessarily in a format that is not useable by accounting module software because that software exists at the upper application layer, while the raw data transmitted over the network exists at the lower physical layer. Thus, in receiving the relevant data, Pease's gateway processor 138 obtains data in a format not useable by the accounting module software, and converts that information into a format that is useable by accounting module software. *TCP* shows that the data formatting processes are handled by the relevant layers of the stack and their associated computer hardware and/or software, and therefore the process does not require human intervention.

Office Action at page 10. The Applicant submits that the above-referenced movement of information across "layers" in the system of Pease does not serve to teach or suggest the recited limitations of claim 1 as amended. While the movement of information through layers of a protocol stack may mean that data is not "useable" by the accounting module software at certain points, Pease still does not expressly or inherently disclose at least that a poller function is "further arranged to format, without human intervention, the obtained data into at least one of the one or more useable formats before storing the formatted data in a corresponding local meter table, local jackpot table, local ticket table, and local player table."

For at least the above reasons, the Applicant respectfully submits that claim 1 is patentable over the art of record, and requests that the rejection of claim 1 be withdrawn. Amended claim 21 is similar in many respects to amended claim 1. Accordingly, the Applicant submits that the rejection of claim 11 should be withdrawn at least for the same reasons that the rejection of claim 1 should be withdrawn. Claims 2-3, 5, 23 and 34 depend from claim 1 or 21, and are thus allowable over the art of record at least for the same reasons that claim 1 or 21 is allowable.



**CONCLUSION**

In view of the above amendments and remarks, the Applicant respectfully requests allowance of claims 1-3, 5, 21, 23 and 34. A Notice of Allowance is respectfully solicited.

If the Examiner has any questions or if Applicants can be of any assistance, the Examiner is invited and encouraged to contact Applicants at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,  
**McAndrews, Held & Malloy, Ltd.**

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